



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 10-1177**  
**Released: June 25, 2010**

**APPLICATION OF VERIZON LONG DISTANCE LLC  
TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES  
NOT AUTOMATICALLY GRANTED**

**WC Docket No. 10-115**  
**Comp. Pol. File No. 932**

On April 30, 2010, Verizon Long Distance LLC (Verizon or Applicant), located at **One Verizon Way, Mail Code: VC22E243, Basking Ridge, NJ 07920**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services throughout the United States excluding Alaska, Hawaii, Maine, New Hampshire and Vermont (collectively Service Areas).<sup>1</sup> The Commission has received several comments regarding Verizon's proposed discontinuance.<sup>2</sup> By this Public Notice, the Wireline Competition Bureau announces that Verizon's application to discontinue service will not be automatically granted pursuant to section 63.71.

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<sup>1</sup> By Public Notice dated May 27, 2010, the Commission notified the public that, in accordance with 47 C.F.R. § 63.71(c), Verizon's application would be deemed to be automatically granted on the 31st day after the release date of the notice, unless the Commission notifies Verizon that the grant will not be automatically effective. *Comments Invited on Application of Verizon Long Distance LLC to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 10-115, DA 10-986 (WCB May 27, 2010). Accordingly, the automatic grant date for Verizon's application would have been June 27, 2010.

<sup>2</sup> See Letter from Catherine Aldaker to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed May 24, 2010) (Aldaker Comment); Letter from John G. and Anna M. Armstrong to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed May 26, 2010) (Armstrong Comment); Letter from D. Davis to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed June 7, 2010) (Davis Comment); Letter from Stephen C. Klein to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed June 1, 2010) (Klein Comment); Letter from Edward H. Lind to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed June 1, 2010) (Lind Comment); Letter from Daniel J. Meunier to FCC, Competition Policy Division, WC Docket No. 10-115 (filed May 3, 2010) (Meunier Comment); Letter from Dorothy Newman to Federal Communications Commission, Wireline Competition Bureau, WC Docket No. 10-115 (filed June 7, 2010) (Newman Comment); Letter from Tam T. Nguyen and Thu Ha Le to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed May 7, 2010) (Nguyen/Le Comment); Letter from Patsy Perkins to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed May 24, 2010) (Perkins Comment); Letter from Mrs. Waneta H. Reed to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed May 24, 2010) (Reed Comment); Letter from James E. Teall to Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, WC Docket No. 10-115 (filed June 15, 2010) (Teall Comment).

In its application, Verizon indicates that it currently provides Personal Toll-Free, Post-Paid Calling Card, and Away From Home services in the Service Areas. Verizon explains that its Personal Toll-Free service allows residential customers to receive calls placed from any phone in the U.S. to their own personal toll-free number. Verizon further explains that its Post-Paid Calling Cards allow Verizon customers that subscribe to Verizon's Long Distance Services to use the cards anywhere in the U.S. to place long distance calls, including international calls. Verizon indicates that its Away From Home Service provides customers with the calling capabilities available under Verizon's Personal Toll-Free and Post-Paid Calling Card services. Verizon states that it plans to discontinue Personal Toll-Free, Post-Paid Calling Card and Away From Home services in the Service Areas on or after July 1, 2010, subject to regulatory approval.<sup>3</sup> Verizon, however, maintains that the public convenience and necessity will not be impaired by the proposed discontinuance because there are many alternative providers of long distance services nationwide. Verizon indicates that it is considered non-dominant with respect to the services to be discontinued.

The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected. As noted above, the Commission has received several comments in opposition to Verizon's proposed discontinuance. Commenters generally argue that the written notice provided in their standard Verizon bills was not conspicuous and may have been missed by some customers. In addition, commenters generally express concern over the potential loss of toll free and calling cards services, and over the availability of alternative services. In response, Verizon states that pre-paid calling card services will not be affected by the proposed discontinuance and that individuals that use their Verizon Post-Paid Calling Card or call a Verizon Personal Toll-Free number will receive an oral message concerning the proposed discontinuances.<sup>4</sup>

Where comments on a discontinuance application allege that the service has no reasonable substitute or that either present or future public convenience and necessity will be adversely affected, the Commission will scrutinize the discontinuance application, consistent with its statutory obligations.<sup>5</sup> Because the record raises concerns regarding the adequacy of notice to affected customers and the resultant potential that customers could experience a loss or disruption of service before they become aware of the proposed discontinuance and before they have an adequate opportunity to seek reasonable alternative services in accordance with the Commission's rules, we find that the public interest will not be served by automatic grant of Verizon's application. Therefore, by this Public Notice, Verizon is notified that its application to discontinue domestic telecommunications services will not be granted automatically.<sup>6</sup> We emphasize that our removal of Verizon's application from the automatic grant

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<sup>3</sup> Discontinuance of international service is governed by 47 C.F.R. § 63.19.

<sup>4</sup> See Letter from Ann Berkowitz to Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, WC Docket No. 10-115 and 10-116 (filed June 22, 2010) (Verizon June 22 Reply) at 1-3.

<sup>5</sup> See 47 U.S.C. § 214(a); 47 C.F.R. § 63.71; see also *Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor*, First Report and Order, CC Docket No. 79-252, 85 FCC 2d 1, 49 (1980) (*Competitive Carrier First Report and Order*) ("we have retained the right to delay grant of a discontinuance authorization if we believe an unreasonable degree of customer hardship would result."); *Federal Communications Comm'n v. RCA Communications, Inc.*, 346 U.S. 86, 90 (1953). See, e.g., *AT&T Application to Discontinue Interstate Sent-Paid Coin Service Not Automatically Granted*, Public Notice, NSD File No. W-P-D-497 (Aug. 3, 2001).

<sup>6</sup> See 47 C.F.R. § 63.71(c) ("The application to discontinue . . . shall be automatically granted on the 31st day . . . unless the Commission has notified the applicant that the grant will not be automatically effective.")

process should not be construed as a final determination on the merits of Verizon's request for authority to discontinue service.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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